

THURSDAY, APRIL 14, 2011

TWENTY-FOURTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Pastor Charles Castle of Clear Creek Baptist Church in Selmer, Tennessee, a guest of Senator Gresham.

PLEDGE OF ALLEGIANCE

Senator Gresham led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 31, 32, 483, 1225 and 1710 with amendment.

MCNALLY, Chairperson
April 12, 2011

The Speaker announced that he had referred Senate Bills Nos. 31, 32, 483, 1225 and 1710 with amendment to the Committee on Calendar.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 472 with amendment, 473, 474, 756, 822 with amendment, 845 with amendment, 875 with amendment, 1203 with amendment, 1405 with amendment, 1559, 1665 with amendment, 1872, 1910 and 2017; and

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Senate Joint Resolution No. 192; also, recommend that Senate Bills Nos. 720 with amendment, 1334 and 1996 with amendment be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson
April 12, 2011

The Speaker announced that he had referred Senate Bills Nos. 472 with amendment, 473, 474, 756, 822 with amendment, 845 with amendment, 875 with amendment, 1203 with amendment, 1405 with amendment, 1559, 1665 with amendment, 1872, 1910 and 2017; and Senate Joint Resolution No. 192 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 720 with amendment, 1334 and 1996 with amendment to the Committee on Finance, Ways and Means.

COMMERCE, LABOR AND AGRICULTURE

MR. SPEAKER: Your Committee on Commerce, Labor and Agriculture begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 393 with amendment, 594, 1009 with amendment, 1173 with amendment, 1464 with amendment, 1572 with amendment and 1785; also, recommend that Senate Bills Nos. 602 and 1962 with amendment be referred to Committee on Finance, Ways and Means.

FAULK, Vice Chairperson
April 12, 2011

The Speaker announced that he had referred Senate Bills Nos. 393 with amendment, 594, 1009 with amendment, 1173 with amendment, 1464 with amendment, 1572 with amendment and 1785 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 602 and 1962 with amendment to the Committee on Finance, Ways and Means.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 1432; also, recommend that Senate Bill No. 1265 with amendment be referred to Committee on Finance, Ways and Means.

BEAVERS, Chairperson
April 12, 2011

The Speaker announced that he had referred Senate Bill No. 1432 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 1265 with amendment to the Committee on Finance, Ways and Means.

ENVIRONMENT, CONSERVATION AND TOURISM

MR. SPEAKER: Your Committee on Environment, Conservation and Tourism begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 104 with

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amendment, 439 with amendment, 753 with amendment, 1391 with amendment and 1837 with amendment; and Senate Joint Resolution No. 178; also, recommend that Senate Bill No. 833 be referred to Committee on Finance, Ways and Means.

SOUTHERLAND, Chairperson
April 13, 2011

The Speaker announced that he had referred Senate Bills Nos. 104 with amendment, 439 with amendment, 753 with amendment, 1391 with amendment and 1837 with amendment; and Senate Joint Resolution No. 178 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 833 to the Committee on Finance, Ways and Means.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 395 with amendment; also, recommend that Senate Bills Nos. 1023 with amendment, 1256 and 1933 be referred to Committee on Finance, Ways and Means.

TRACY, Chairperson
April 13, 2011

The Speaker announced that he had referred Senate Bill No. 395 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1023 with amendment, 1256 and 1933 to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 192 with amendment, 193 with amendment, 208, 209 with amendment, 211 and 1878 with amendment.

WATSON, Chairperson
April 13, 2011

The Speaker announced that he had referred Senate Bills Nos. 192 with amendment, 193 with amendment, 208, 209 with amendment, 211 and 1878 with amendment to the Committee on Calendar.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 449 with amendment, 485 with amendment, 714 with amendment, 717, 912 with amendment, 1443 with amendment and 1674; also, recommend that Senate Bills Nos. 279, 1529 with amendment and 1776 with amendment be referred to Committee on Finance, Ways and Means.

GRESHAM, Chairperson
April 13, 2011

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The Speaker announced that he had referred Senate Bills Nos. 449 with amendment, 485 with amendment, 714 with amendment, 717, 912 with amendment, 1443 with amendment and 1674 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 279, 1529 with amendment and 1776 with amendment to the Committee on Finance, Ways and Means.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 2107 through 2109** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 2107 by Senator Burks.

Sparta -- As introduced, subject to local approval, revises the charter. Amends Chapter 99 of the Private Acts of 1973.

Senate Bill No. 2108 by Senator Beavers.

Lafayette -- As introduced, subject to local approval, requires reading of ordinances on two different days, rather than three, prior to adoption; authorizes mayor to appoint a director of public works, subject to confirmation by the city council; increases salary of mayor. Amends Chapter 235 of the Private Acts of 1945; as amended.

Senate Bill No. 2109 by Senator Stewart.

Winchester -- As introduced, subject to local approval, modernizes the city charter.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 198, 208, 219, 533, 731, 1154, 1644, 1755, 2125, 2128, 2129 and 2140** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 198 -- Pharmacy, Pharmacists -- As introduced, expands statute providing for a prescription drug label that indicates the condition for which the drug is prescribed from applying only to elder persons to apply to any patient. Amends TCA Title 53, Chapter 10 and Title 63, Chapter 10.

House Bill No. 208 -- Animal Control -- As introduced, broadens the purposes for which forfeited deposits to spay or neuter programs must be used. Amends TCA Title 44, Chapter 17, Part 5.

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House Bill No. 219 -- Fireworks -- As introduced, authorizes the City of East Ridge to permit the possession and retail sale of Class C common fireworks; regulates the sale of such fireworks in the City of East Ridge, according to the provisions of Title 68, Chapter 104, Part 1.

House Bill No. 533 -- Courts -- As introduced, provides that any revenue generated by county litigation tax for victim-offender mediation shall be used for the purpose of victim-offender mediation or other community mediation matters. Amends TCA Title 16, Chapter 20, Part 1.

House Bill No. 731 -- Teachers, Principals and School Personnel -- As introduced, removes requirement that written notice of termination of teacher contain a statement that such notice was authorized by a majority vote of the local board of education with the name of the teacher receiving such note being recorded in the minutes of the board. Amends TCA Section 49-5-409.

House Bill No. 1154 -- Public Records -- As introduced, authorizes local government entities to file motions to prevent litigation opponents from using the "Public Records Act" in lieu of discovery. Amends TCA Title 10, Chapter 7.

House Bill No. 1644 -- Real Property -- As introduced, enacts the "Prohibition of Covenants Providing for Transfer Fees Act of 2011". Amends TCA Title 66.

House Bill No. 1755 -- Tort Liability and Reform -- As introduced, includes certain nonprofit entities in Davidson County which operate in conjunction with a metropolitan hospital authority within the definition of "governmental entity" in the "Governmental Tort Liability Act". Amends TCA Title 29.

House Bill No. 2125 -- New Johnsonville -- As introduced, subject to local approval, changes the term of office for mayor from two years to four years beginning with the August 2012 local election. Amends Chapter 603 of the Private Acts of 1949; as amended.

House Bill No. 2128 -- Trenton -- As introduced, subject to local approval, revises the charter. Amends Chapter 551 of the Acts of 1903; as amended.

House Bill No. 2129 -- Baileytown -- As introduced, subject to local approval, raises monetary limit on purchases that do not require prior approval of the board of mayor and aldermen, from \$1,000 to \$5,000; raises limit on purchases that do not require competitive bidding, from \$5,000 to \$10,000. Amends Chapter 192 of the Private Acts of 1994.

House Bill No. 2140 -- Camden -- As introduced, subject to local approval, beginning with the 2014 city election, moves the election of the mayor and board of aldermen to coincide with the November general election. Amends Chapter 350 of the Acts of 1903; as amended.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 191 and 193 through 205**; and **Senate Resolution No. 29** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

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Senate Joint Resolution No. 191 by Senator Bell.

Memorials, Recognition -- Tom B. Hughes III, Athens 2011 Man of the Year.

Senate Joint Resolution No. 193 by Senator Roberts.

Memorials, Academic Achievement -- Samantha Lauren Bozarth, 2011 Salutatorian, Westmoreland High School.

Senate Joint Resolution No. 194 by Senator Roberts.

Memorials, Academic Achievement -- Brittany Leann Hauskins, 2011 Valedictorian, Westmoreland High School.

Senate Joint Resolution No. 195 by Senator Roberts.

Memorials, Academic Achievement -- Jonathan Byrd, Valedictorian, Westmoreland High School.

Senate Joint Resolution No. 196 by Senator Roberts.

Memorials, Academic Achievement -- Chelsea Kennedy, Valedictorian, Westmoreland High School.

Senate Joint Resolution No. 197 by Senator Stewart.

Memorials, Retirement -- Alvin Raymond Dunn, Sr.

Senate Joint Resolution No. 198 by Senator Stewart.

Memorials, Retirement -- Linda Ann Tollett Nipper.

Senate Joint Resolution No. 199 by Senator Stewart.

Memorials, Recognition -- Stanley Rogers.

Senate Joint Resolution No. 200 by Senator Overbey.

Mental Illness -- Directs the Department of Mental Health to study issues relating to assisted outpatient treatment [Kendra's Law] and to report to legislative committees by 1/15/2012.

Senate Joint Resolution No. 201 by Senator Faulk.

Memorials, Professional Achievement -- Tammy Day, Ken Owen Memorial Award.

Senate Joint Resolution No. 202 by Senator Overbey.

Memorials, Academic Achievement -- Genevieve Iva Kupritz, 2011 Salutatorian, William Blount High School.

Senate Joint Resolution No. 203 by Senator Overbey.

Memorials, Academic Achievement -- Austin James Blodgett, 2011 Valedictorian, William Blount High School.

Senate Joint Resolution No. 204 by Senator Beavers.

Memorials, Academic Achievement -- Patrick Cashman, Salutatorian, Wilson Central High School.

Senate Joint Resolution No. 205 by Senator Beavers.

Memorials, Academic Achievement -- Austin Brown, Valedictorian, Wilson Central High School.

Senate Resolution No. 29 by Senator Gresham.

General Assembly, Confirmation of Appointment -- Rejects appointments to Tennessee Board of Regents.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 151, 206 through 216, 220, 222 through 224, 228 and 229**; and **Senate Joint Resolutions Nos. 183 through 190** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 151 -- General Assembly, Statement of Intent or Position -- Urges Tennessee employers to provide holiday time off on Veterans' Day to employees who are veterans of U.S. Armed Forces.

The Speaker announced that he had referred House Joint Resolution No. 151 to the Committee on State and Local Government.

House Joint Resolution No. 206 -- Memorials, Death -- Ray Michael Collins.

The Speaker announced that he had referred House Joint Resolution No. 206 to the Committee on Calendar.

House Joint Resolution No. 207 -- Memorials, Recognition -- Nadia Valdez, Boys and Girls Club State Youth of the Year.

The Speaker announced that he had referred House Joint Resolution No. 207 to the Committee on Calendar.

House Joint Resolution No. 208 -- Memorials, Recognition -- Alex Harvey.

The Speaker announced that he had referred House Joint Resolution No. 208 to the Committee on Calendar.

House Joint Resolution No. 209 -- Memorials, Academic Achievement -- Britney Campbell, Valedictorian, DeKalb County High School.

The Speaker announced that he had referred House Joint Resolution No. 209 to the Committee on Calendar.

House Joint Resolution No. 210 -- Memorials, Academic Achievement -- Jagger K. Edgell, 2011 Valedictorian, Smith County High School.

The Speaker announced that he had referred House Joint Resolution No. 210 to the Committee on Calendar.

House Joint Resolution No. 211 -- Memorials, Academic Achievement -- Leah Bane, 2011 Salutatorian, Smith County High School.

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The Speaker announced that he had referred House Joint Resolution No. 211 to the Committee on Calendar.

House Joint Resolution No. 212 -- Memorials, Academic Achievement -- Martha Alan Webb, Salutatorian, Dekalb County High School.

The Speaker announced that he had referred House Joint Resolution No. 212 to the Committee on Calendar.

House Joint Resolution No. 213 -- Memorials, Public Service -- Bobby Gene Spivey, former mayor of the Town of Smyrna.

The Speaker announced that he had referred House Joint Resolution No. 213 to the Committee on Calendar.

House Joint Resolution No. 214 -- Memorials, Recognition -- Polly Gregory, Speaker of the House for the 64th Tennessee 4-H Congress.

The Speaker announced that he had referred House Joint Resolution No. 214 to the Committee on Calendar.

House Joint Resolution No. 215 -- Memorials, Death -- Roger Dale Spivey, Sr.

The Speaker announced that he had referred House Joint Resolution No. 215 to the Committee on Calendar.

House Joint Resolution No. 216 -- Memorials, Professional Achievement -- Gary Rankin, induction into TSSAA Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 216 to the Committee on Calendar.

House Joint Resolution No. 220 -- Memorials, Academic Achievement -- Brittany Hagler, Valedictorian, Mt. Juliet High School.

The Speaker announced that he had referred House Joint Resolution No. 220 to the Committee on Calendar.

House Joint Resolution No. 222 -- Memorials, Academic Achievement -- Eric Sorrels, 2011 Salutatorian, Friendship Christian School.

The Speaker announced that he had referred House Joint Resolution No. 222 to the Committee on Calendar.

House Joint Resolution No. 223 -- Memorials, Academic Achievement -- Mary Nicole Harris, Salutatorian, Mt. Juliet High School.

The Speaker announced that he had referred House Joint Resolution No. 223 to the Committee on Calendar.

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House Joint Resolution No. 224 -- Memorials, Academic Achievement -- Ryan Pino, 2011 Valedictorian, Friendship Christian School.

The Speaker announced that he had referred House Joint Resolution No. 224 to the Committee on Calendar.

House Joint Resolution No. 228 -- Memorials, Sports -- Gibbs High School, 2010 TSSAA Class AA State Baseball Champions.

The Speaker announced that he had referred House Joint Resolution No. 228 to the Committee on Calendar.

House Joint Resolution No. 229 -- Memorials, Recognition -- William Pearce "Bill" Drewry.

The Speaker announced that he had referred House Joint Resolution No. 229 to the Committee on Calendar.

Senate Joint Resolution No. 183 -- Constitutional Amendments -- Proposes an amendment to Section 3 of Article VI of the Tennessee Constitution to unequivocally authorize the general assembly, by statute, to establish a system of merit-based appointments with retention elections for appellate court judges.

The Speaker announced that he had referred Senate Joint Resolution No. 183 to the Committee on Judiciary.

Senate Joint Resolution No. 184 -- Memorials, Academic Achievement -- Wes Grace, 2011 Salutatorian, Red Boiling Springs High School.

The Speaker announced that he had referred Senate Joint Resolution No. 184 to the Committee on Calendar.

Senate Joint Resolution No. 185 -- Memorials, Academic Achievement -- Dillon Reed, Valedictorian, Gordonsville High School.

The Speaker announced that he had referred Senate Joint Resolution No. 185 to the Committee on Calendar.

Senate Joint Resolution No. 186 -- Memorials, Academic Achievement -- Heather Jenkins, 2011 Valedictorian, Red Boiling Springs High School.

The Speaker announced that he had referred Senate Joint Resolution No. 186 to the Committee on Calendar.

Senate Joint Resolution No. 187 -- Memorials, Academic Achievement -- Ashley Nastasia Allred, Valedictorian, Clay County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 187 to the Committee on Calendar.

Senate Joint Resolution No. 188 -- Memorials, Academic Achievement -- Parker Jordan Grace, 2011 Valedictorian, Red Boiling Springs High School.

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The Speaker announced that he had referred Senate Joint Resolution No. 188 to the Committee on Calendar.

Senate Joint Resolution No. 189 -- Memorials, Academic Achievement -- Jessica Blackburn, Salutatorian, Gordonsville High School.

The Speaker announced that he had referred Senate Joint Resolution No. 189 to the Committee on Calendar.

Senate Joint Resolution No. 190 -- Memorials, Academic Achievement -- Larissa Rich, Salutatorian, Clay County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 190 to the Committee on Calendar.

CONSENT CALENDAR NO. 1

Objections having been raised, the following bill was placed at the heel of the calendar for Monday, April 18, 2011, pursuant to Rule 38: **Senate Joint Resolution No. 177.**

Senate Joint Resolution No. 174 -- Memorials, Death -- J. Don Hill.

Senate Joint Resolution No. 179 -- Memorials, Professional Achievement -- Ashley Kear, Milken Educator Award 2010.

Senate Joint Resolution No. 180 -- Memorials, Sports -- Craigmont High School, 2011 TSSAA Class AAA Boys' Basketball Champions.

House Joint Resolution No. 201 -- Memorials, Recognition -- John P. Franklin, Sr., Chattanooga's Pioneer Leader.

House Joint Resolution No. 203 -- Memorials, Death -- Diane C. Hopkins.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 1361 -- Highways, Roads and Bridges -- As introduced, designates segment of State Route 19 in Haywood County as "Reverend Clay Evans Road".

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On motion, Senate Bill No. 1361 was made to conform with **House Bill No. 1128**.

On motion, House Bill No. 1128, on same subject, was substituted for Senate Bill No. 1361.

Senator Faulk moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

LOCAL BILL
CONSENT CALENDAR

Senate Bill No. 552 -- Anderson County -- As introduced, subject to local approval, reallocates proceeds from the hotel/motel tax from the general fund for county general revenue, with 90 percent being allocated to the tourism fund and 10 percent, minus the trustee's commission, being allocated to the Anderson County chamber of commerce for economic development purposes. Amends Chapter 193 of the Private Acts of 1990; as amended.

On motion, Senate Bill No. 552 was made to conform with **House Bill No. 774**.

On motion, House Bill No. 774, on same subject, was substituted for Senate Bill No. 552.

Senate Bill No. 2083 -- New Johnsonville -- As introduced, subject to local approval, changes the term of office for mayor from two years to four years beginning with the August 2012 local election. Amends Chapter 603 of the Private Acts of 1949; as amended.

On motion, Senate Bill No. 2083 was made to conform with **House Bill No. 2125**.

On motion, House Bill No. 2125, on same subject, was substituted for Senate Bill No. 2083.

Senate Bill No. 2084 -- Elkton -- As introduced, subject to local approval, revises the due dates for property taxes in the City of Elkton. Amends Chapter 431 of the Acts of 1907; as amended and rewritten.

On motion, Senate Bill No. 2084 was made to conform with **House Bill No. 2126**.

On motion, House Bill No. 2126, on same subject, was substituted for Senate Bill No. 2084.

Senate Bill No. 2086 -- Baileyton -- As introduced, subject to local approval, raises monetary limit on purchases that do not require prior approval of the board of mayor and aldermen, from \$1,000 to \$5,000; raises limit on purchases that do not require competitive bidding, from \$5,000 to \$10,000. Amends Chapter 192 of the Private Acts of 1994.

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On motion, Senate Bill No. 2086 was made to conform with **House Bill No. 2129**.

On motion, House Bill No. 2129, on same subject, was substituted for Senate Bill No. 2086.

Senate Bill No. 2087 -- Big Sandy -- As introduced, subject to local approval, increases the mayoral term from two years to four years and alters the election cycle so that city elections are held in November in 2014, 2016, and every other year thereafter.

On motion, Senate Bill No. 2087 was made to conform with **House Bill No. 2130**.

On motion, House Bill No. 2130, on same subject, was substituted for Senate Bill No. 2087.

Senate Bill No. 2088 -- Camden -- As introduced, subject to local approval, beginning with the 2014 city election, moves the election of the mayor and board of aldermen to coincide with the November general election. Amends Chapter 350 of the Acts of 1903; as amended.

On motion, Senate Bill No. 2088 was made to conform with **House Bill No. 2140**.

On motion, House Bill No. 2140, on same subject, was substituted for Senate Bill No. 2088.

Senate Bill No. 2101 -- Trenton -- As introduced, subject to local approval, revises the charter. Amends Chapter 551 of the Acts of 1903; as amended.

On motion, Senate Bill No. 2101 was made to conform with **House Bill No. 2128**.

On motion, House Bill No. 2128, on same subject, was substituted for Senate Bill No. 2101.

Senator Faulk moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

CALENDAR

Senator Ketron moved that **Senate Bill No. 828** be rereferred to the Committee on Calendar, which motion prevailed.

Senator Norris moved that **Senate Bill No. 935** be placed on the Calendar for Thursday, April 28, 2011, which motion prevailed.

Senate Bill No. 1171 -- Traffic Safety -- As introduced, broadens requirement that drivers exercise due care to apply to bicyclists; enhances penalty for certain traffic violations that cause serious bodily injury or death. Amends TCA Title 55, Chapter 8.

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Senator Overbey declared Rule 13 on **Senate Bill No. 1171**.

Senate Bill No. 1171 passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 1255 -- Election Laws -- As introduced, expands State Election Commission to seven members permanently. Amends TCA Title 2, Chapter 11, Part 1.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. It is the intent of the general assembly that this act not increase the amount appropriated for compensation and travel expenses due to the increase in members serving on the commission. Each member shall receive compensation and travel expenses in accordance with § 2-11-107 and § 2-11-108.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1255**, as amended, passed its third and final consideration by the following vote:

Ayes	22
Noes	9
Present, not voting . . .	1

Senators voting aye were: Beavers, Bell, Burks, Campfield, Crowe, Faulk, Gresham, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Roberts, Southerland, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--22.

Senators voting no were: Barnes, Berke, Finney, Ford, Harper, Haynes, Kyle, Marrero and Stewart--9.

Senator present and not voting was: Henry--1.

A motion to reconsider was tabled.

Senator Watson moved that **Senate Bill No. 1541** be placed on the Calendar for Thursday, April 21, 2011, which motion prevailed.

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Senate Joint Resolution No. 111 -- Memorials, Congress -- Urges Congress to oppose elimination of funding for the Perkins Tech Prep program for the 2011-12 school year.

Senator Yager declared Rule 13 on **Senate Joint Resolution No. 111**.

Senator McNally moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Norris moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting the caption in its entirety and by substituting instead the following language:

A RESOLUTION to urge the United States Congress to continue to support career and technical education programs.

AND FURTHER AMEND by deleting the first resolving clause in its entirety and by substituting instead the following language:

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that this General Assembly hereby memorializes the United States Congress to continue to support career and technical education programs, including the Perkins Tech Prep program.

On motion, Amendment No. 2 was adopted.

On motion of Senator McNally, Amendment No. 1 was withdrawn.

Thereupon, **Senate Joint Resolution No. 111**, as amended, was adopted by the following vote:

Ayes	26
Noes	1
Present, not voting . . .	4

Senators voting aye were: Barnes, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Woodson, Yager and Mr. Speaker Ramsey--26.

Senator voting no was: Kelsey--1.

Senators present and not voting were: Beavers, Campfield, Johnson and Watson--4.

A motion to reconsider was tabled.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 207 -- Sunset Laws -- As introduced, extends the department of safety, June 30, 2016. Amends TCA Title 4, Chapter 29; Title 4, Chapter 3, Part 1 and Title 4, Chapter 3, Part 20.

HOUSE AMENDMENT NO. 1

AMEND by deleting in the directory language of Section 2 of the printed bill the language "Tennessee Code Annotated, Section 4-29-237(a)," and by substituting instead the language "Tennessee Code Annotated, Section 4-29-235(a),".

Senator Watson moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 207**, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

MOTION

Senator Crowe moved that Rule 83(8) be suspended for the purpose of placing **Senate Bills Nos. 72, 96, 494, 522, 595, 611, 817, 1145, 1178, 1309, 1853 and 1921** on the calendar for the Committee on General Welfare, Health and Human Resources for Monday, April 18, 2011, which motion prevailed.

MOTION

Senator Norris moved that the Proposed Schedule for the week of April 18, 2011, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
107th GENERAL ASSEMBLY**

**PROPOSED SCHEDULE
FOR THE WEEK OF APRIL 18, 2011**

MONDAY – April 18

2:00 p.m. General Welfare, Health & Human Resources
Committee

5:00 p.m. Session – Senate Chamber

TUESDAY – April 19

8:30 a.m. – 10:30 a.m. Finance, Ways & Means Committee
(Tax Sub will meet immediately following)
10:30 a.m. – 12:30 p.m. State & Local Government Committee
12:30 p.m. – 1:30 p.m. Lunch

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1:30 p.m. – 3:30 p.m.	Commerce, Labor & Agriculture Committee
3:30 p.m. – 5:00 p.m.	Judiciary Committee

WEDNESDAY – April 20

8:30 a.m. – 9:30 a.m.	Environment, Conservation & Tourism Committee
9:30 a.m. – 11:30 a.m.	General Welfare, Health & Human Resources Committee
11:30 a.m. – 1:30 p.m.	Transportation Committee
1:30 p.m. – 2:30 p.m.	Government Operations Committee
2:30 p.m. – 3:00 p.m.	Lottery Sub-committee of the Senate Education Committee
3:00 p.m. – 5:00 p.m.	Education Committee

THURSDAY – April 21

9:00 a.m.	Session – Senate Chamber
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NOTE: Pre-Commerce meeting, Tuesday, April 19, 2011, at 7:30 a.m., Room 12 LP.

MOTION

Senator Faulk moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 201**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 201 -- Memorials, Professional Achievement -- Tammy Day, Ken Owen Memorial Award.

On motion of Senator Faulk, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 201** was adopted.

A motion to reconsider was tabled.

MOTION

On motion of Senator Marrero, her name was added as sponsor of **Senate Bill No. 276**.

On motion of Senator Ford, her name was removed as sponsor of **Senate Bill No. 485**.

On motion of Senators Finney and Marrero, their names were added as sponsors of **Senate Bill No. 720**.

On motion of Senator Crowe, his name was added as sponsor of **Senate Bill No. 912**.

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On motion of Senators Barnes and Yager, their names were added as sponsors of **Senate Bill No. 1171**.

On motion of Senators Marrero, Ford, Yager and Overbey, their names were added as sponsors of **Senate Bill No. 1265**.

On motion of Senators Henry and Tate, their names were added as sponsors of **Senate Bill No. 1258**.

On motion of Senator Stewart, his name was added as prime sponsor of **Senate Bills Nos. 1354 and 1364**.

On motion of Senator Finney, his name was removed as sponsor of **Senate Bills Nos. 1354 and 1364**.

On motion of Senator Herron, his name was added as sponsor of **Senate Bill No. 1361**.

On motion of Senator Ketron, his name was added as sponsor of **Senate Bill No. 1529**.

On motion of Senator Tracy, his name was added as sponsor of **Senate Bill No. 1671**.

On motion of Senator Ford, her name was added as prime sponsor of **Senate Bill No. 1751**.

On motion of Senator Ketron, his name was removed as sponsor of **Senate Bill No. 1751**.

On motion of Senators Faulk, Overbey and Crowe, their names were added as sponsors of **Senate Joint Resolution No. 174**.

On motion of Senators Beavers, Berke, Herron and Ford, their names were added as sponsors of **Senate Joint Resolution No. 177**.

On motion of Senator Stewart, his name was added as sponsor of **Senate Joint Resolution No. 178**.

On motion of Senators Berke, Watson, Marrero, Ford and Harper, their names were added as sponsors of **House Joint Resolution No. 201**.

On motion of Senator Faulk, his name was added as sponsor of **House Joint Resolution No. 203**.

On motion of Senator Norris, his name was added as sponsor of **Senate Bills Nos. 439 and 767**.

On motion of Senator Johnson, his name was added as prime sponsor of **Senate Bill No. 1821**.

On motion of Senator Norris, his name was removed as sponsor of **Senate Bill No. 1821**.

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ENGROSSED BILLS

April 14, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 1171 and 1255; and Senate Joint Resolutions Nos. 111, 174, 179, 180 and 201; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

April 14, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 395, 612, 642, 654, 661, 1081, 1114, 1279, 1498, 1605, 1819 and 2117; passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 14, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 232, 233 and 234; adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 14, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 610, 761 and 1532; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 14, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 168, 170, 171, 172 and 173; concurred in by the House.

JOE MCCORD,
Chief Clerk.

ENROLLED BILLS

April 14, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 207, 610, 761 and 1532; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

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ENROLLED BILLS

April 14, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 168, 170, 171, 172 and 173; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

April 14, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 201 and 203, for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

SIGNED

April 14, 2011

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 168, 170, 171, 172 and 173.

SIGNED

April 15, 2011

The Speaker announced that he had signed the following: House Bills Nos. 129, 688, 884, 1189, 1265 and 1354.

SIGNED

April 15, 2011

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 201 and 203.

MESSAGE FROM THE HOUSE

April 14, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 168, 170, 171, 172 and 173; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 13, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 78, 135, 289, 355, 461, 510, 684, 799, 922, 930,

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1013, 1119, 1172, 1193, 1341, 1347, 1451, 1789 and 1874; and Senate Joint Resolutions Nos. 158, 159, 160, 161, 162, 163, 164, 166, 167, 176 and 182; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 14, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 168, 170, 171, 172 and 173; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 13, 2011

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 1520, with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

April 13, 2011

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 131, with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

April 14, 2011

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 89, 339, 505, 636, 638, 991, 1336, 1509 and 1531; and Senate Joint Resolutions Nos. 144, 146, 147 and 148; with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

April 13, 2011

The Honorable Tre Hargett
Secretary of State
Nashville, Tennessee 37243

Dear Mr. Secretary of State:

An error has been discovered in Senate Joint Resolution No. 131 related to a sponsor listing.

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Please let this letter serve as notice that Senate Joint Resolution No. 131 has been reenrolled and a corrected copy is hereby attached.

With best wishes, I remain

Sincerely,

/s/ M. Scott Sloan
Chief Engrossing Clerk of the Senate

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 18, 2011: Senate Joint Resolutions Nos. 184, 185, 186, 187, 188, 189 and 190; and House Joint Resolutions Nos. 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 220, 222, 223, 224 and 229.

This the 14th day of April, 2011.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 18, 2011: Senate Bills Nos. 208, 211, 473, 474, 717, 756, 822, 1432, 1559 and 1674; and Senate Joint Resolution No. 178.

This the 14th day of April, 2011.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 18, 2011: Senate Joint Resolution No. 127; Senate Bills Nos. 192, 193, 209, 449, 714, 720, 753, 875, 912, 1258, 45, 396, 767, 829, 923, 1031, 1032 and 1538; and Senate Joint Resolutions Nos. 86 and 177.

This the 14th day of April, 2011.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 5:00 p.m., Monday, April 18, 2011, which motion prevailed.